

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HONEYWELL INTERNATIONAL INC.,

Plaintiff,

-v-

ECOER INC., *et al.*,

Defendants.

24 Civ. 1464 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On January 12, 2024, plaintiff filed a motion to dismiss defendants' counterclaims under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 24. Under Rule 15(a)(1)(B), defendants have 21 days after the service of a motion under Rule 12(b) to amend their counterclaims once as a matter of course.

Accordingly, it is hereby ORDERED that defendants shall file any amended counterclaims by May 23, 2024. No further opportunities to amend will ordinarily be granted. If defendants do amend, by June 13, 2024, plaintiff shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying defendants, stating that it relies on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended counterclaims are filed, defendants shall serve any opposition to the motion to dismiss by May 23, 2024. Plaintiff's reply, if any, shall be served by June 6, 2024. At the time any reply is served, the moving party shall supply the Court

¹ If plaintiff files a new motion to dismiss or relies on its previous motion, defendants' opposition will be due 14 days thereafter, and plaintiff's reply, if any, will be due seven days after that.

with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to EngelmayerNYSDChambers@nysd.uscourts.gov.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: May 2, 2024
New York, New York